

THE

CHARTER AND BY-LAWS

OF THE

NEW-YORK DISPENSARY.

Instituted 1790.

"I was sick, and ye visited me."



New-York:

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1009

An Act

TO INCORPORATE THE CONTRIBUTORS TO THE NEW-YORK DISPENSARY.

Passed the Eighth of April, 1795.

WHEREAS it is represented to the Legislature, that John Rodgers, John Henry Livingston, Abraham Beach, John Watts, Matthew Clarkson, Jacob Morton, Moses Rogers, John Charleton, Samuel Osgood, Lawrence Embree, John Cozine, John Broome, and James Watson and their associates, inhabitants of the city of New-York, have become contributors to a Dispensary, for the purpose of relieving such sick, poor, and indigent persons, as are unable to procure medical aid: *And whereas* it is further represented, that the said contributors will, by being incorporated, be enabled to carry their benevolent intentions into more extensive effect: Therefore,

Be it enacted by the People of the State of New-York, represented in Senate and Assembly, That the said John Rodgers, John Henry Livingston, Abraham Beach, John Watts, Matthew Clarkson, Jacob Morton, Moses Rogers, John Charleton, Samuel Osgood, Lawrence Embree, John Cozine, John Broome, and James Watson, together with their associates, being contributors to the said Dispensary, and such other persons as shall hereafter become members of the corporation thereby erected, shall be, and are hereby ordained, constituted and declared to be one body corporate and politic, in fact and in name, by the name of "THE TRUSTEES OF THE NEW-YORK DISPENSARY;" and that by that name, they and their successors, for ever hereafter, shall and may have succession, and may by the said name be

persons capable in the law to sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended, in all courts and places whatsoever; and that they and their successors may have a common seal, and may change and alter the same at their pleasure; and that they and their successors, by their said name, shall for ever hereafter be persons capable in the law, to purchase, take, hold, receive and enjoy, to them and their successors, any real estate whatsoever, and other hereditaments, of whatsoever nature, kind, or quality they be, in fee simple, for term of life or lives; or in any other manner howsoever; and also any goods, chattels and personal estate whatsoever. *Provided always*, the yearly income of the said real and personal estate and hereditaments doth not at any time exceed the sum of twelve hundred pounds current money of New-York. And that they and their successors, by the same name, shall have full power and authority to lease the said real estate and hereditaments, on such terms as they shall judge most beneficial; and also to dispose of all such personal estate at their will and pleasure, as they shall judge most beneficial and advantageous to promote the humane purposes of the said corporation.

And be it further enacted, That there shall be for ever hereafter thirteen trustees of the said corporation, who shall conduct and manage the affairs of the said corporation; that the said trustees shall be contributors to the said Dispensary, actually resident in the said city of New-York; and the first trustees of the said corporation shall be, John Rodgers, John Henry Livingston, Abraham Beach, John Watts, Matthew Clarkson, Jacob Morton, Moses Rogers, John Charleton, Samuel Osgood, Lawrence Embree, John Cozine, John Broome, and James Watson, who shall hold their said offices until the second Monday in January next ensuing: and for keeping up the succession in the said offices,

Be it further enacted, That on the said second Monday in January next ensuing, and yearly and every year for ever thereafter, on the second Monday in January in every year,

the members of the said corporation shall meet at some convenient place in the city of New-York, to be fixed by the by-laws of the said corporation, and thereby the majority of such of them as shall so meet, shall by ballot elect thirteen of their members to be trustees of the said corporation for the year ensuing, who shall immediately enter upon the said offices, and hold the same from the time of such election, for and during the space of one year, and until others shall be elected in their stead; and in case any of the said persons elected to be trustees of the said corporation, or who shall thereafter be elected thereto, shall die, or remove out of the city of New-York, before the time of their appointed service shall expire, or shall refuse or neglect to act in, and execute the said office; then, and in every such case, the remaining trustees of the said corporation shall, within thirty days thereafter, by ballot, elect an other or others of the members of the said corporation in the stead of him or them so dying or removing, refusing or neglecting to act; and that such person or persons as shall have the greatest number of votes at every such election, shall hold their said offices from the time of such election, until the second Monday in January then next ensuing, and until other or others shall be chosen in his or their stead.

And be it further enacted, That the trustees of the said corporation shall regularly meet on the third Monday in every month, and at such other times as they may judge expedient; and that any seven or more of the said trustees, being so convened together, shall for ever hereafter be a legal meeting of the said corporation; and that at any and every such legal meeting of any seven or more of the trustees of the said corporation, it shall be lawful for them, or a majority of them, to make such by-laws, rules and regulations, for the management and disposal of the property and estate of the said corporation, and the government of the said Dispensary, and the same or any part of them to alter, amend, or repeal from time to time, as they, or a major part of them so met, shall think proper: *Provided,* such by-laws, rules,

and regulations, be not repugnant to the constitution and laws of the United States, or of this State; and that at any such legal meeting of any seven or more of the said trustees of the said corporation, it shall and may be lawful for them, or the majority of them, so met as aforesaid, to nominate and appoint one of the said trustees of the said corporation to be their president, and one other to be treasurer, and any other competent person to be secretary of the said corporation, and also to appoint so many physicians, surgeons, apothecaries, officers and servants, and with such compensations as to them shall seem meet; and, whenever they shall think proper, to discharge them or any of them, and to appoint other or others in their stead.

And be it further enacted, That any male adult person, who shall contribute for the benefit of this corporation the sum of five dollars, shall, by virtue of such contribution, become a member thereof, and continue so to be, for the space of one year, from and after the time of his making such contribution; and any like person who shall contribute ten dollars for the like purpose, shall be a member thereof two years: and any like person who shall contribute any greater number of sums of five dollars each, not exceeding nine, as shall be equal to the number of sums of five dollars each, so by him contributed; and any like person, who shall contribute fifty dollars for the like purpose, shall be a member of said corporation for life; and every contributor of the value of five dollars or upward, shall be entitled to have such number of patients (being proper objects of this institution) on the Dispensary list, and for such term of time as shall be prescribed by the by-laws of the corporation.

And be it further enacted, That it shall be the duty of the trustees of the corporation hereby created, to exhibit annually between the first and last days of May in each year, to the Chancellor of this State, a full and particular account of all the estate, both real and personal, then vested in the said corporation, and of the rent or income thereof, attested by the oath of the treasurer thereof that the same is a true and

perfect account, together with a particular and detailed account of all the moneys expended by the said corporation in the preceding year, specifying the several purposes to which it has been applied; and if it shall appear to the said Chancellor, that the amount of the said property, or the disposal of the same, is not agreeable to the true intent and meaning of this act, he shall report the same to the legislature at their next ensuing session.

And be it further enacted, That this act shall be, and is hereby declared to be a public act, and shall be construed benignly and favorably, for every beneficial purpose herein intended.

BY-LAWS.

CHAPTER I.

OF THE ANNUAL ELECTION.

I.

THE annual election of the Trustees shall be held on the second Monday in January in every year, at the session-room of the Trustees, and shall begin at four and close at five o'clock, P. M. The Secretary shall give public notice of every such election, in two of the public newspapers, designating the time and place.

II.

The election shall be by ballot, and under the inspection of three of the Trustees, to be appointed by the Board for that purpose, and who, or a majority of them, shall preside at and conduct the election. The Secretary shall also attend and keep a poll-list, in which he shall enter the names of the voters.

III.

As soon as the poll is closed, the Inspectors shall examine the ballots and execute a certificate under their hands and seals, declaring who are the thirteen persons having a majority of the whole number of votes; and they shall report the same at the next stated meeting of the Board, to be entered on the records of the Society.

The Secretary immediately after the election, shall give notice to the persons so elected.

CHAPTER II.

DUTIES OF THE TRUSTEES.

I.

THE stated meetings of the Board of Trustees shall be held in their room in the Dispensary corner of Centre and White streets, on the third Monday of every month at half-past four o'clock, P. M.

Special meetings may be held at any time on the requisition of the President, or of any two Trustees.

II.

At the first meeting of the Trustees after every annual election, they shall by ballot elect one of their number as President, one as Treasurer, and one other as Secretary. A majority of the votes shall be necessary to a choice.

III.

The President, or in his absence one of the Trustees to be chosen Chairman, shall preside at the meetings of the Board, and regulate the proceedings and preserve order and decorum. In case of an equal division of the Trustees on any question, he shall have an additional and casting vote. He shall appoint all Committees, unless otherwise directed by the Board.

IV.

The Secretary shall give special notice to each Trustee of all meetings of the Board, and shall attend the same, and keep accurate minutes of all the proceedings.

V.

The Treasurer shall have authority to let such part of the building as the Trustees may direct to be hired out, and to collect and receive all moneys, including Rents, Dividends,

&c., which may be due to the Institution, and may employ a collector to receive in his name the sums due from annual subscribers, and may allow a commission not exceeding five per cent. to such collector.

The Treasurer shall keep a just and accurate account of all moneys received and paid by him, and once a year, in the month of January, or oftener if required by the Board, he shall render a particular and correct statement of the same to the Trustees, who shall appoint two of their number to examine and audit his accounts.

VI.

At the first meeting of the Trustees, after the annual election, there shall be appointed the following Standing Committees :—

1st. A Committee of Supplies, consisting of two Trustees, whose duty shall be to purchase, on the most advantageous terms, all articles wanted for the use of the Institution. They shall also have a general care of the house and premises, and keep them in repair.

2d. A Vaccine Committee, consisting of three Trustees, who shall have the superintendence of the Vaccine department, and with whom the Vaccine Physician shall consult, and by whose directions he shall be governed. It shall be their duty to see that there is provided and kept on hand a constant supply of genuine Vaccine matter; and that the Vaccine Physician is engaged in vaccinating in and out of doors as required by the By-laws.

VII.

There shall be a Visiting Committee, consisting of two Trustees, whose appointment shall be so regulated, that one member of the Committee shall be released and another Trustee appointed at each stated meeting of the Board; making the term of service of each member of the Committee, two months.

It shall be the duty of one of this Committee to visit the

Dispensary at 11 o'clock on every Tuesday morning; and each member of the Committee twice at least during the same week, at such time as they may choose, to examine into all the detail of the operations, and to see that the duties of the Physicians, Apothecary, &c. are faithfully performed.

If complaints be made of neglect or misconduct on the part of any Physician or of the Apothecary, it shall be the duty of the Committee to investigate the same, and if necessary, report the facts to the Board.

VIII.

The Visiting Committee shall keep a minute book, in which they shall enter the time of each visit at the office, and any transactions or remarks they may think proper; and which book shall be produced and read at every stated meeting of the Board.

IX.

It shall be the duty of each of the Trustees to visit the Dispensary at least once in every month, and whenever so inclined they may visit the in-door patients, either in company with the Physician or not.

X.

Annually in the month of March, five Committees of two Trustees each shall be appointed to visit all the in-door patients; two districts being assigned to each Committee.

XI.

Annually in the month of May, the Trustees shall appoint ten Physicians, and not exceeding five Assistant Physicians, six Consulting Physicians and Surgeons, one Vaccine Physician, an Apothecary, an Assistant Apothecary, and a Druggist, from whom the supplies of medicine shall be obtained.

The Physicians must be nominated at a meeting previous to their election. In case of vacancy in the office of Physician, such vacancy shall be supplied by the election of one of

the Assistant Physicians, unless reasonable objection be made to such selection.

At each annual election, two of the Physicians shall be ineligible for re-appointment.

XII.

A Report on the state of the Institution shall be prepared and published annually in the month of January, and a copy of which shall be presented to the Common Council.

XIII.

Unless by unanimous consent, no alteration shall be made in these By-laws, until reduced to writing and notice given at a previous meeting of the Board.

CHAPTER III.

GENERAL REGULATIONS.

I.

The City shall be divided into ten districts, as follows, viz.

1. Commencing at the Battery, thence up State-street and Broadway to Pearl-street, thence through Pearl-street to Franklin-square, and down Dover-street to the East River.

2. From the Battery up the west side of Broadway to Walker-street, through Walker and Beach-streets to the North River.

3. Up Broadway from Walker to Spring-streets, down Spring-street on the southerly side to the North River.

4. Up Broadway from Walker-street to the Bowery-road, down the Bowery to Bleecker-street, through Bleecker to Mott-street, down Mott to Walker-street, and through Walker to Broadway.

5. Through Pearl-street from Broadway to Chatham-street, thence through Chatham to Mott-street, through Mott to

Walker-street, through Walker to Broadway, and down Broadway to Pearl-street.

6. From East River through Dover-street to Franklin-square, thence through Pearl to Chatham-street, up Chatham to Division and through Division to Pike, and down Pike to the East River.

7. Up Chatham from Mott to Division-street, through Division to Allen-street, up Allen-street and first Avenue to Fourteenth-street, thence to the Bowery, down the Bowery to Bleecker-street, thence down Mott-street to Chatham-street.

8. Up Division-street to Ridge-street, through Ridge-street and Avenue B to Fourteenth-street, thence to first Avenue, down first Avenue and Allen-street to Division-street.

9. From the East River through Pike to Division-street, through Division and Grand-street to the East River.

10. All the Easterly section of the city bounded by the river and the eighth and ninth districts.

II.

The office of the Dispensary shall be kept open daily, except on Sunday, from eight o'clock in the morning until sunset; and on Sunday the office hours shall be from nine to ten, A. M., and from half-past one to half-past two o'clock, P. M.

III.

The two sexes shall be received and attended to in separate reception rooms.

IV.

No persons shall be deemed objects of this charity, but such as are unable to pay for the attendance of a Physician, and those who are so, shall be considered suitable subjects, whatever may be their disease.

V.

Any Physician who is a member of the Dispensary shall be entitled to receive, to be used in his own practice, Vaccine

Virus from the Institution, to twice the amount of his subscription. All other persons must pay the Vaccine Physician or the Apothecary therefor, at the rate of 25 cents for each point, and \$1 for a scab.

VI.

Persons applying at the office to be vaccinated who are able and willing to pay, the Vaccine Physician or the Apothecary may perform the operation, and receive in behalf of the Dispensary, such compensation or fee as the patient may incline to give.

VII.

The Vaccine Physician shall account to the Treasurer, quarterly, for all sums received by him or the Apothecary according to the fifth and sixth Sections.

VIII.

No alterations shall be made in any of these regulations, or those prescribing the duties of the Physicians and Apothecary, without the sanction of the Board of Trustees.

CHAPTER IV.

DUTIES OF THE PHYSICIANS.

I.

THE consulting Physicians and Surgeons, as well as the Trustees, shall have the privilege of nominating candidates for the station of Attending and Assistant Physicians; the nominations to be made in writing to a meeting of the Board, previous to that at which the appointment is to be made. No candidate shall be considered eligible unless he present to the Trustees a certificate signed by at least three of the Consulting Physicians or Surgeons, stating that they consider him qualified for the office of a Physician of the Dispensary.

II.

It shall be the duty of each of the Consulting Physicians and Surgeons, to visit the Dispensary occasionally, and at least once in every month, to confer with the Physicians on the state of the Institution, and of their patients; to make any suggestion to the Visiting Committee which they may think will advance the interest of the Dispensary, and at all times to attend in consultation, when requested so to do by one of the Physicians.

III.

Immediately after their appointment in May, the Physicians shall assume, according to seniority of appointment, each the charge of one district, and they shall report to the Board the arrangement they shall have adopted.

IV.

Patients whose cases render them unable to attend at the Dispensary, shall be regularly visited at their respective places of abode as often as their cases may require, by the Physician in whose district they are located.

V.

The Physicians shall attend at the Dispensary daily, except on Sundays, to prescribe for those patients whose disorders do not confine them to their houses.

For these, called out-door patients, the following classification of diseases and order of attendance shall be observed, viz.—from 9 to 10 o'clock two Physicians shall attend, one in each reception room, and the hour shall be appropriated to patients with Cutaneous and Venereal diseases.

10 to 11 o'clock, as above, for diseases of the Eye and Ear.

11 to 12 “ - - - - - of Surgery.

12 to 1 “ - - - - - of the Abdomen, Female

Complaints, and diseases of children.

1 to 2 o'clock - - Head, Chest, and Febrile affections.

During the months of May, June, July and August, the Physicians shall attend from 8 to 1 o'clock, making thereby their attendance on the above classes one hour earlier than there specified, viz. on the cutaneous and venereal patients from 8 to 9 o'clock, instead of from 9 to 10, and so on with the other classes.

VI.

The Physicians, immediately after their appointment in May, shall classify themselves in divisions of two each, for attendance at the office, as specified in the last section, and shall report the same to the Board.

VII.

Out-door patients applying at the Dispensary shall be prescribed for by the Physicians in attendance, although their diseases may not be of the class to which the hour is appropriated, and the Physician shall inform them at what hour to call thereafter.

VIII.

Patients, whether in or out-door, on application at the office, should be attended to as soon as possible; and the Physicians in their intercourse with them, are expected to exercise that forbearance and patience, which their poverty and ignorance render so peculiarly necessary.

IX.

If in-door patients apply at the Dispensary after the Physician in whose district they are located has visited the office for the day, the Apothecary, if the case appears to require immediate attention, shall give the applicant a written direction to the residence of the Physician, and it shall be the duty of said Physician to visit the patient forthwith.

X.

Should indisposition, or any other reasonable cause, prevent a Physician from attending to the duties of the Dispensary,

he shall immediately engage the attendance of either of the Assistant Physicians of the Institution, and report the same to the Visiting Committee. The substitution must be temporary and for a short time, unless continued with the assent of the same Committee.

XI.

In cases of emergency, where the Physician cannot be found in whose district such case may occur, it shall be the duty of any Physician of this Institution, who may be first met with, to visit such sick person.

XII.

It shall be the duty of the Physicians to leave with the patients, particularly plain directions for taking such medicines as they may prescribe.

XIII.

The Attending Physicians shall hold a consultation on every case that may require it, and may call upon the Consulting Physicians for their additional advice whenever they think proper.

XIV.

Their pupils shall have the privilege of attending the patients with them, but are in no case whatever permitted to prescribe. No student of medicine shall be allowed to visit the Dispensary, unless introduced by one of the Physicians, who shall be responsible for his conduct; but in no case shall such student be allowed to prescribe for, or operate on any patient.

XV.

When any important operation is to be performed upon a patient of the Dispensary, one or more of the Consulting Surgeons shall be called in consultation, and no operation shall be performed upon any such patient, except by the

Attending or Consulting Physicians or Surgeons of this Institution.

XVI.

A general Register shall be kept in the office, in which it shall be the duty of the Physicians to enter in separate columns, ruled for the purpose, the Date, Name, Age, Residence, Out or In-door, Nativity, Condition, Disease, Result, Remarks, and attending Physician of each patient.

XVII.

It shall be the duty of the Physicians to make diligent inquiry from time to time, in their respective districts, for subjects for Vaccination, and to perform the operation in all cases where permitted so to do; and to report the name and particulars of each case to the Vaccine Physician, who shall enter the same in the Vaccine Register.

XVIII.

Each Physician shall report in writing monthly to the Trustees, the number of new patients attended by him during the month, designating separately the number visited at their houses, and prescribed for at the Dispensary: also the number vaccinated by him.

XIX.

The Physicians shall insert daily in a book to be kept for that purpose, the fact of their attendance during the hour required, and which book shall be laid before the Trustees at their monthly meetings.

XX.

Any person accepting the office of Physician, will be expected to perform the duties of his appointment until the ensuing regular election, unless prevented by reasons of an urgent and extraordinary nature, satisfactory to the Board.

XXI.

To each of the Attending Physicians, with whose care of, and attention to the patients, the Trustees shall be satisfied; and who shall diligently perform all the duties of his office, named or not named in the By-laws, such salary as the Trustees may have designated shall be paid at the close of the year in May.

CHAPTER V.

DUTIES OF THE VACCINE PHYSICIAN.

I.

THE Vaccine Physician shall attend at the office during the hours designated in Chapter IV. Section V.

II.

He shall vaccinate all persons applying; and also, under directions of the Physicians, bleed, cup, leach, and draw the teeth, of all patients requiring those operations.

III.

It shall be his special duty to obtain and always keep on hand at the office, a full supply of Vaccine Matter, for the use of the Dispensary, for subscribing Physicians, and for sale, accounting for the latter to the Treasurer, as required by Section VII. Chapter III.

IV.

During a year he shall, under the direction of the Vaccine Committee, call at every house in five of the Districts, excepting only those of Physicians, and tender, in the name of the Trustees, his services to vaccinate any of the inmates who are proper objects. In the following year he shall make a similar call and tender in the other five Districts.

V.

In all cases of Vaccination, either at the Dispensary or elsewhere, he shall at the proper time endeavor to ascertain whether the disease has been properly taken.

VI.

A Vaccine Register shall be kept in the office, in which it shall be his duty to enter in separate columns, ruled for the purpose, the name and particulars of each case, whether in or out-door, and by whom vaccinated.

VII.

He shall also keep a Vaccine Account Book, in which it shall be his duty to enter in separate columns ruled for the purpose, the quantity of Vaccine Matter sold and given away, and the names of the persons to whom it is so delivered, and whether they be subscribers or not. And in his yearly report in April, he shall state the quantity sold and given away, with the amount of money paid over to the Treasurer during the past year.

VIII.

He shall report in writing, monthly, to the Trustees, the number vaccinated by him and the Physicians; specifying the number at the office and at their houses: and in April he shall report the fact of his having made the inquiry and tender of services named in Section IV.

IX.

He shall not be allowed to pursue any private medical practice.

X.

He shall receive for his services such compensation, payable quarterly, as the Trustees shall agree to allow him.

CHAPTER VI.

DUTIES OF THE APOTHECARY, ETC.

I.

THE Apothecary and his Assistant shall attend in the office during the hours specified for its being kept open in Chapter III., except one hour to each separately, for dinner.

II.

The Apothecary shall have a general care of the Dispensary, and premises appertaining thereto. He shall keep the office, rooms, and all things connected therewith, clean and in good order. He shall carefully observe economy in all things pertaining to his department; be particularly careful and accurate in the delivery of medicines, and permit no persons to enter or remain in the office unnecessarily.

III.

He shall prepare and compound the medicines prescribed by the Physicians; but no medicines shall be dispensed to patients without directions from the Physicians.

IV.

He shall keep an inventory of all the utensils, chirurgical instruments, and other property belonging to the Dispensary, and shall be accountable for the same.

V.

He shall not be allowed to pursue any private medical practice.

VI.

All medicines shall, so far as may be practicable, be purchased in their simple state, and be compounded by him.

VII.

He shall cause all articles purchased on credit for his department, to be immediately entered, by the person of whom they are bought, in a pass-book, designating the date, quantity, kind, and price of the articles.

VIII.

He shall keep a book, in which the Committee of Supplies shall enter their directions for the purchase of medicines, or other articles necessary in his department, and which they may wish him to procure; with the date and quantity to be purchased, and signed with the initials of his or their name.

IX.

In the absence of the Vaccine Physician it shall be his duty to vaccinate all persons who may apply at the office; and to report the name and particulars of each case to the Vaccine Physician, who shall enter the same in the Vaccine Register.

X.

The salary of the Apothecary shall be three hundred and fifty dollars.

XI.

The Assistant Apothecary shall perform all services connected with the operations of the Dispensary, which may be required of him by the Trustees or Apothecary, and he shall receive such compensation therefor as the Trustees may from time to time direct or agree.

CHAPTER VII.

ATTENDANCE AND DUTIES OF PATIENTS.

I.

ANY person applying for the benefit of the Dispensary, shall be attended to, unless in the opinion of the Physician he or she is an improper object ; in which case reference must be made to the Visiting Committee, who shall decide thereon.

II.

All and every of the patients shall conform to the directions and prescriptions of the Physicians of the Dispensary, in regard to medicine, diet, and other matters necessary to their recovery ; and shall take care of, cleanse and return to the Dispensary, all phials, gallipots and utensils delivered to them, as soon as they have done with the same ; and in case of neglect or disobedience, shall no longer be entitled to the benefits of the Dispensary, unless a satisfactory excuse be made to the Committee of Visitation for such delinquency.

III.

If any of the out-patients shall continue absent from the Dispensary for the space of two weeks, he or she being so absent, shall be considered as discharged, unless a reason shall be given by such absent patient, as in the judgment of the Committee, for the time being, shall be deemed satisfactory.

IV.

It shall be the duty of all persons vaccinated at the Dispensary, to return to the office at such time as the Vaccine Physician or the Apothecary shall direct, in order that he may ascertain if the disease has properly taken.

V.

No male patient shall enter the female department, and no female that of the men.

No smoking shall be allowed in the reception rooms.

VI.

As soon as the patients have been prescribed for and furnished with medicines, they shall immediately retire.